

000FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE REV. 2/01T		CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER  05471.0060  U.S. APPLICATION NO. (If known, see 37CFR1.5)  <b>10/533590</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/CH2003/000061	January 27, 2003	November 4, 2002
<b>TITLE OF INVENTION: METHOD AND DEVICE FOR HUSKING AND DEGERMINATING CEREALS</b>		
<b>APPLICANTS FOR DO/EO/US: 1) Othmar GERSCHWILER, 2) Walter EUGSTER, and 3) Ursprünglichen ZWAHLEN</b>		
Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C 371.	
2.	<input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.	
3.	<input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.	
4.	<input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).	
5.	<input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).	
	a.	<input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).
	b.	<input checked="" type="checkbox"/> has been communicated by the International Bureau.
	c.	<input type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US).
6.	<input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).	
	a.	<input checked="" type="checkbox"/> is attached hereto.
	b.	<input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4).
7.	<input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
	a.	<input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).
	b.	<input type="checkbox"/> have been communicated by the International Bureau.
	c.	<input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.
	d.	<input checked="" type="checkbox"/> have not been made and will not be made.
8.	<input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
9.	<input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).	
10.	<input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).	
Items 11 to 20 below concern document(s) or information included:		
11.	<input type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98	
12.	<input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13.	<input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.	
14.	<input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.	
15.	<input type="checkbox"/> A Substitute specification.	
16.	<input type="checkbox"/> A change of power of attorney and/or address letter.	
17.	<input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.	
18.	<input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d)(4).	
19.	<input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).	
20.	<input checked="" type="checkbox"/> Other items or information:	
	a.	<input checked="" type="checkbox"/> Copy of cover page of International Publication No. WO 2004/041434 A1.
	b.	<input type="checkbox"/> Copy of Notification of Missing Requirements.
	c.	<input checked="" type="checkbox"/> Request For Substitution Of Replacement Sheets.

U.S. APPLICATION NO. (If known, see 37CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER 05471.0060	
<b>10/533590</b>		PCT/CH2003/000061			
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> \$300.00					
National Stage Search Fee.....\$500.00					
National Stage Examination Fee.....\$200.00					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$1000.00					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)		Rate	
10 - 100 =	/50=			x 250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30		\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	13	- 20 =	x \$50.00		
Independent Claims	2	-3 =	x \$200.00		
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00		
<b>TOTAL OF THE ABOVE CALCULATIONS =</b> \$1360.00					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.					
<b>SUBTOTAL =</b> \$1360.00					
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30		\$
<b>TOTAL NATIONAL FEE =</b> \$ 1360.00					
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					
<b>TOTAL FEES ENCLOSED =</b> \$1360.00					
Amount to be refunded:					
charged: \$					
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1360.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
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Washington, D.C. 20001-4413					
EFC/FPD/sci					
DATED: May 3, 2005					
					
SIGNATURE					
Ernest F. Chapman/25,961					
NAME/REGISTRATION NO.					

10/533590  
JC14 Rec'd PCT/PTO 03 MAY 2005

PCT/CH2003/000061  
Othmar GERSCHWILER et al.  
Attorney Docket No. 05471.0060

TRANSLATION OF THE ANNEXES TO THE  
PRELIMINARY EXAMINATION REPORT  
(ARTICLE 34 AMENDMENTS)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR SUBSTITUTION OF REPLACEMENT SHEETS**

Please substitute the attached translation of replacement sheets 6-7 of the claims of the Article 34 Amendments for sheets 1-2 of the claims in the enclosed translation of the as-filed PCT application. It is respectfully requested that the claims in the substitute sheets be examined during examination of the patent application. Claims 1-10 are currently pending.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 3, 2005

By:   
Ernest F. Chapman  
Reg. No. 25,961

EFC/FPD/sci